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Date: May 31, 2006

Signature: Spencer L. Darley

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Greg A. Penner

§

Stefan A. Bledig

§

Group Art Unit: 1661

Timothy W. Conner

§

Vergel C. Concibido

§

Examiner: Wendy Haas

Serial No.: **10/071,272**

§

Confirmation No.: 9001

§

Filed: **February 8, 2002**

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For: IDENTIFICATION OF SEEDS OR
PLANTS USING PHENOTYPIC
MARKERS

§
§
§

**AMENDMENT UNDER 37 C.F.R. § 1.116;
RESPONSE TO FINAL OFFICE ACTION DATED APRIL 11, 2006**

Mailstop AF
Commissioner for Patents
P.O. Box 1450,
Alexandria VA, 22313-1450

Sir:

Applicant respectfully requests that the following amendments be entered in the captioned patent application in accordance with 37 C.F.R. § 1.116. Applicant submits these amendments to place the case in better condition for allowance or appeal.

This paper is submitted in response to the Final Office Action dated April, 11, 2006, having a response deadline of July 11, 2006.

It is believed that no fee is due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Commissioner is authorized to deduct said fees from Deposit Account No. 08-3038/11898.0021.NPUS01.

Reconsideration of the application in view of the following Amendments and Remarks is respectfully requested.